

Message Text

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15

ACTION EUR-12

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FM AMEMBASSY DUBLIN

TO SECSTATE WASHDC 7677

INFO AMCONSUL BELFAST

UNCLAS DUBLIN 0432

E.O. 11652: N/A

TAGS: PGOV, EI

SUBJ: CRIMINAL LAW BILL PASSED

REF: 75 DUBLIN 1927

1. THE CONTROVERSIAL CRIMINAL LAW (JURISDICTION) BILL WAS FINALLY PASSED BY THE IRISH PARLIAMENT (DAIL) ON MARCH 3, ALMOST A YEAR AFTER IT WAS FIRST INTRODUCED. THE FINAL VOTE WAS 65 TO 61, A STRAIGHT PARTY VOTE WITH ONE GOVERNMENT (LABOR) BACKBENCHER ABSTAINING. THERE IS SOME POSSIBILITY NOW THAT THE PRIME MINISTER WILL SUBMIT THE LAW TO THE SUPREME COURT FOR A READING ON CONSTITUTIONALITY, A PROCESS WHICH IS NOT OFTEN USED BUT IS PROVIDED FOR IN THE IRISH CONSTITUTION.

2. THIS LAW, PASSED OVER FIERCE OPPOSITION FROM THE FIANNA FAIL PARTY, PROVIDES FOR THE TRYING IN THE REPUBLIC OF CERTAIN TERRORIST OFFENCES COMMITTED IN NORTHERN IRELAND OR ELSEWHERE. IT IS IN GENERAL A SUBSTITUTION FOR EXTRADITION, WHICH HAS PROVEN IMPRACTICAL IN THE PAST FOR SO-CALLED "POLITICAL CRIMES." THE GOVERNMENT CONSIDERS THIS LAW A MAJOR STEP IN ITS HARDLINE POLICY TOWARD TERRORISTS AND THE GOVERNMENT ALSO STATES THAT THE LAW SHOULD BE SEEN AS A CONCILIATORY GESTURE TOWARD THE NORTHERN IRELAND LOYALISTS.

CURLEY

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NNN

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